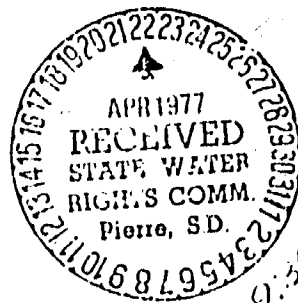


Water Right Number 3906-3

1. Considered 5-25, 19 77
2. Name of Applicant ROBERT J. PETERSON
3. Post Office Address HURLEY
4. Amount of water claimed 2.28
5. Source of water supply 105' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 1 1/2 N miles of HURLEY
8. Proof of Publication Received 5-16-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 3163-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Robert J. Petersen
Postoffice address Hurley State S. Dak. 57036
If a corporation show date and place of incorporation n/a
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
Robert J. Petersen Irrigation System #1
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply 1 Well and 1 Gravel Pit (Permit #1866-3 covers Gravel Pit)
6. Location of point of diversion Well : Approx. 33 rods E. and 78 rods North of the SW corner of Sec. 14-93-53. Gravel Pit 60 rods N. and 70 rods E. of the SW corner Sec. 14-93-53.
Turner County _____
7. Annual period or periods during which water is to be used April - November
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
160
9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 SW 1/4 14-93-53	40		
NE 1/4 SW 1/4 14-93-53	40		
SE 1/4 SW 1/4 14-93-53	40		
SW 1/4 SW 1/4 14-93-53	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 0 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to appropriate Water publication Hurley Leader, Hurley SD 57036
12. Principal features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Elec. Pump at Well
Power Take-off at Gravel Pit

B. Works proposed to transport water to place of use.

Short Buried Pipeline to C.P. and Flexible Hose Line From Gravel Pit

C. Works proposed to apply water to beneficial use.

C. P. Sprinkler Systems

Estimated Total Cost \$ 50,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Turner

I, Robert J. Petersen, the applicant, certify that I have read the foregoing application and have examined the attached map, and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Robert J. PetersenSubscribed and sworn to before me this 21 day of March, 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3906-3

ROBERT J. PETERSEN
(Applicant)

HURLEY
(Post Office Address)

SOUTH DAKOTA 57036 With the following modifications:
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

THE APPLICABLE PORTIONS OF PERMIT NO 1866-3 HAVE BEEN INCORPORATED INTO THIS PERMIT, AND PERMIT NO 1866-3 HAS BEEN CANCELLED.

Date of first receipt of application APRIL 22, 19 77
Date of return to applicant for correction, amendments or changes required ---, 19 ---
Date of receipt of corrected application ---, 19 ---
Approved MAY 25, 19 77, Recorded in Book 18 Page 306

WATER RIGHT PERMIT NO. 3906-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3906-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 2.0045 FROM GRAVEL PIT MAY 19, 1971
FROM WELL APRIL 22, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 25, 19 77
3. The whole of said work is to be completed on or before MAY 25, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 81
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before MAY 25, 19 81; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 22ND day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John H. Smith
Chief Engineer, Executive Officer

Certificate of Construction Issued OCT. 7, 19 80

Water License Issued OCT. 7, 19 80

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 105'
(2) Casing, Type Steel Diameter 1 1/2" Thickness 1/4"
(wood, concrete, steel, etc)
(3) Perforated Screen, Type Stainless Steel, Diameter 1 1/2", Length 25'
(4) Gravel Pack, Thickness 2", Length of gravel pack 100'

E. Dugout Information or Estimates

- (1) Surface dimensions --, Depth --

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 32' of gravel; 15' clay and water bearing sand and gravel to 105'

Depth to top of water bearing material 18'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 58'

Depth to water (ground surface to water level) 8'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 60 rds. On property owned by others 160 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

n/a

Robert J. Petersen
Signature of Applicant

Permit No. 3906-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert J. Peterson

the holder of
Permit No. 3906-3, issued upon Application No. 3906-3, bearing date of priority of May 19, 1971 &
April 22, 1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of ground water
(one well & a dugout) County of Turner, State of South Dakota at the
well located north 23° East, 90 rods; dugout located north 60 rods
and east 70 rods, both from the SW corner, Section 14, T98N - R53W
for irrigation

purposes, has S complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use cu. ft. per second of water.

* 1.1 cfs (500 gpm) dugout
1.78 cfs (800 gpm) well

Date October 7, 1980


JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3906-3

(1) WHEREAS, On the 22nd day of April A. D. 1977

Robert J. Peterson

made Water Right Application No. 3906-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater (one well and dugout)

County of Turner, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 25th day of May A. D. 1977

Permit No. 3906-3, with a date of priority of May 19, 1971 (dugout) and April 22, 1976 (well)

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 25th day of May A. D. 1977 and for the application to beneficial use of said water on or before the 25th day of May A. D. 1981

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.91 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following lands all in Section 14, T98N-R53W

Acres

NW 1/4 SW 1/4 37

NE 1/4 SW 1/4 37

SW 1/4 SW 1/4 32

SE 1/4 SW 1/4 28

TOTAL 134 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Robert J. Peterson

_____ of Hurley, SD
the holder _____ and owner _____ of said permit No. 3906-3 a water right, dating from May 10, 1971 and
_____ April 22, 1976 to use of _____ 1.91 cubic feet per second of the waters
of groundwater (a well and a dugout)
in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at the well located north 23° East, 90 rods;
dugout located north 60 rods and east 70 rods, both from the
SW corner, Section 14-T98N-R53W

and conducted to and upon _____
portions of land all in Section 14-T98N-R53W more
fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3906-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of October A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

A circular ink stamp from the State Water Rights Commission in Pierre, South Dakota. The stamp is dated May 1977 and includes the text "RECEIVED STATE WATER RIGHTS COMM. Pierre, S.D.". The number "4" is handwritten in the center. The outer ring of the stamp contains a sequence of numbers: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 00.

COUNTY Turner

1. WELL LOCATION: Approx. 33 rods E. and 78 rods N. of the SW corner Sec. 14-98-53
2. LOCATION OF AREA TO BE IRRIGATED: The SW¹/₄ 14-98-53

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa

5. SAMPLE NUMBER 77-778

6. SALINITY (EC X 10⁶) 1546 (High)

7. SODIUM (SAR) 0.33

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

Robert J. Petersen
APPLICANT'S SIGNATURE

Albert J. L. [Signature]
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

MAP

50
1-P

The SW¹ 11-98-53

NARRATIVE

50

1-P

- Shallow soils with 10-20" of dark, loamy material over sand and gravel on nearly level (0-2%) slopes. They have low water storage capacity and shallow rooting zone.
Map. Unit - IIIs3

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Robert J. Larson
 Address: Hurley, SD 57036

Date Rec'd: May 17, 1977
 Sample No.: 77-773
 Identification: Well-105
Sec. 14, T 93N, R 53E

WATER ANALYSIS

Calcium (Ca)	296	ppm*	14.30	me/l**
Magnesium (Mg)	48	ppm	3.94	me/l
Sodium (Na)	23	ppm	1.00	me/l
Potassium (K)	19	ppm	0.49	me/l
Sulfate (SO ₄)	735	ppm	15.29	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	21	ppm	0.60	me/l
Bicarbonate (HCO ₃)	395	ppm	6.48	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	324	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1546	micro mhos per cm at 25° C.		
Sodium Adsorption Ratio	0.33			
Sodium	4.94	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 20.23 me/l
 Total anions 22.37 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-773

Amount Enclosed \$

Signed

No. 3906-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 26, 1977

Notice is hereby given that Robert J. Petersen
whose post office address is Hurley, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.28 cubic feet of water per second of time from the ground water through the
Robert J. Petersen #1, the point of diversion of which is located in the

SW 1/4 SW 1/4 (gravel pit) and center of NE 1/4 (Well)
of Section 14, Twp. 98N, Range 53W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4, Section 14, T98N, R53W

This application No. 3906-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 25th day of May, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/hw

cc. **Robert J. Petersen, Hurley, SD 57036**

No. 3906-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Wiipf hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the
city of Hurley
County of Turner and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Thursday, May 5, 1977
Thursday, May 12, 1977

James E. Wiipf
(Signature)
Publisher
(Title)
5-13-77
(Date Signed)

My Commission Expires 2-4-85

James E. Wiipf
5-13-77

No. 3906-3
NOTICE INTENT
TO APPROPRIATE
WATER

Pierre, South Dakota 57501
April 25, 1977

Notice is hereby given that
Robert J. Petersen whose post
office address is Hurley, South
Dakota has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appro-
priate "for beneficial use" 2.28
cubic feet of water per second
of time from ground water thru
the Robert J. Petersen No. 1, the
points of diversion of which are
to be located in the SW 1/4 SW 1/4
(Gravel Pit) and center of W 1/4
SW 1/4 (well) of section 14, Twp.
98N, range 53W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW 1/4, Section 14, T98N, R53W.
This application no. 3906-3 will
be considered by the Water
Rights Commission at their of-
fice at Pierre upon the 25th day
of May, 1977 at 10:00 a.m. All
interested persons may appear
and be heard.

Water Rights Comm.
James Winterton
Water Rights Specialist
Publish: May 5 and 12, 1977.



RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 7708

September 25, 1980

PIERRE,

RECEIVED OF Robert J. Petersen, Hurley, SD 57036
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination,
processing, recording and filing)

Fee for inspecting Construction, and issuing Cert. of Construction No. 5206-3

Fee for inspecting Beneficial Use, and issuing Water License No. 3906-3

Fee for issuing Location Certificate-Dry Draw, No.

Fee for filing

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for

(any other work as provided by law)

50.00

TOTAL

50.00

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer

Permit No. 3906-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ROBERT J.PETERSON of HURLEY holderof Permit No. 3906-3 bearing date of priority of MAY 19 1971
APRIL 22 1976authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in TURNER County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

105' DEEP WELL WITH 14" CASING - 25' SS SCREEN
WESTERN LAND ROLLER 6" PUMP - 4 STAGE 12CM BOWLS
POWERED BY 50HP NEWMAN ELECTRIC MOTOR - SERIAL # 31144003
DUGOUT 270' X 120' UP TO 20' DEEP - BERKELEY 4" CENTRIFUGAL PUMP
WITH 6" INTAKE & 6" DISCHARGE - POWERED BY 25HP BELLOR ELECTRIC MOTOR

B. Works used to transport water to place of use,

FROM WELL - 420' OF 8" BURIED PLASTIC TO WEST PIVOT PAD
FROM DUGOUT - 1/2 MILE OF 6" ALUMINUM LINE TO TWO EAST
PIVOT PADS.

C. Works used to apply water to beneficial use.

FROM WELL - 6 TOWER VALLEY CORNER SYSTEM
FROM DUGOUT - 2 TOWER VALLEY CENTER PIVOT SYSTEM WITH
#200 END GUN. TOWED BETWEEN TWO EAST PIVOT PADS.The system is in the following condition: GOODThe point of diversion is located WELL, N 23° E, 90 RODS; DUGOUT, N 60 RODS
& E 70 RODS, BOTH FROM SW CORNER, SECTION 14, T98N, R53WThe works are capable of diverting and conveying to the place of use DUGOUT - 1.1 CFS (500 GPM)
WELL - 1.78 " (800 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 14, T98N, R53W.

<u>SW 1/4 SW 1/4</u>	<u>37 ACRES</u>
<u>NE 1/4 SW 1/4</u>	<u>37 "</u>
<u>SW 1/4 SW 1/4</u>	<u>32 "</u>
<u>SE 1/4 SW 1/4</u>	<u>28 "</u>

comprising a total of 134 acres of land. = 1.91 cfsDate SEPTEMBER 1, 1980Burton Jones
(Signature)



3906-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

APR 7 1997

3906A-3
5261-3
5555-3

Paul Petersen
45610 282nd Street
Hurley, SD 57036

Dear Mr. Petersen:

Enclosed are Water License Nos. 3906A-3, 5261-3 and 5555-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415281, 415282 and 415283 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 3906A-3, 5261-3 and 5555-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Nos. 3906-3 and 4961-3 have been incorporated into this Water License No. 3906A-3.

Hurley, S. Dak. 57036

Area To Be Irrigated:

The SW $\frac{1}{4}$ 11-98-53 - 160 ac. (More or Less)

T. 98 N.

Irrig. Well
#1

Gravel Pit

29.1

Valley - Brown
107 & 200
End gun

90 RODS - 23° E.

123.4

7.1

46.3

3-129

6.2

~~144-118-5803~~ App 10-3906-3